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CPA/1633

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David J. Kulik
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dkulik@wrf.com

VIA HAND DELIVERY

Assistant Commissioner for Patents
U.S. Patent and Trademark Office
Washington, DC 20231

Box: CPA

Re: New U.S. Continued Prosecution Application
Inventors: Michel Perricaudet *et al.*
Title: Medicinal Combination Useful for In Vivo Exogenous Transfection
Prior Appl. Serial No.: 08/894,246; Filed May 22, 1998
Attorney Docket: EX95001-US

Dear Sir:

Applicants submit herewith a Request for Continued Prosecution Application for the above-identified application. The following documents are attached:

- 1) Continued Prosecution Application Request Transmittal Form (2 pages), requesting entry of the Response filed February 15, 2002 (in duplicate);
- 2) Fee Transmittal Form (in duplicate);
- 3) Two (2) Credit Card Payment Forms, covering the CPA Filing Fee together with the Extra Claim fee, and separately covering the Extension of Time Fee;
- 4) Request for Extension of Time;
- 5) Copy of Response dated February 15, 2002;
- 6) Return receipt postcard.

If any fees are required to process this Request or the accompanying Request for Extension of Time and are not accounted for, or if any other fees are required to enter and consider this paper and the accompanying papers, the undersigned hereby authorizes the Commissioner to charge Deposit Account No. 50-1129.

Respectfully submitted,

David J. Kulik
Reg. No. 36,576

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U.S. PATENT & TRADEMARK OFFICE
FEETRANSMITTAL
for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 2612.00)

Complete if Known

Application Number	08/894,246
Filing Date	05/22/1998
First Named Inventor	Michel Perricaudet et al.
Examiner Name	Shin-Lin Chen
Group Art Unit	1633
Attorney Docket No.	EX95001-US

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METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	50-1129
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Deposit Account Name	Wiley Rein & Fielding, LLP
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Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	740.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$ 740.00)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
65	-20** = 24	X 18.00	= 432.00
Independent Claims	3 - 3** = 0	X 0.00	= 0.00
Multiple Dependent			= 0.00

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee Description	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 432.00)

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	JUL 05 2002
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	TECH CENTER 1600/2900
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	1440.00
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid					SUBTOTAL (3) (\$ 1440.00)

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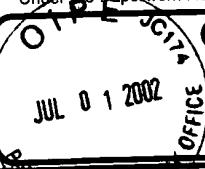
Complete (if applicable)

Name (Print/Type)	David J. Kulik	Registration No. (Attorney/Agent)	36,576	Telephone	202-719-7000
Signature				Date	07/01/2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

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7-5-02
P.2

CHECK BOX, if applicable
 DUPLICATE

PENT & TRADEMARK OFFICE
Address to:

Assistant Commissioner for Patents
Box CPA
Washington, DC 20231

Attorney Docket No.
of Prior Application

EX95001-US

First Named Inventor

Perricaudet et al.

Examiner Name

Shin-Lin Chen

Group Art Unit

1633

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P.2

This is a request for a continuation or divisional application under 37 CFR 1.53(d),
(continued prosecution application (CPA)) of prior application number 08/894,246
filed on May 22, 1998, entitled Medicinal Combination Useful for In Vivo Exogenous Transfection and Expression

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1. Enter the unentered amendment previously filed on February 15, 2002 under 37 CFR 1.116 in the prior nonprovisional application.
2. A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - a. **DELETE** the following inventor(s) named in the prior nonprovisional application:
.....
.....
b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. PTO-1449
 - b. Copies of IDS Citations

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

07/02/2002 SSITHIB1 00000043 08894246

01 FC:131

740.00 OP

02 FC:103

432.00 OP

07/02/2002 SSITHIB1 00000043 08894246
01 FC:131 740.00 OP
02 FC:103 432.00 OP

07/02/2002 SSITHIB1 00000043 08894246
01 FC:131 740.00 OP
02 FC:103 432.00 OP
03 FC:103

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	44 -20* =	24	x \$ 18 =	\$ 432.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	3 -3** =	0	x \$ 0 =	0.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ _____ =	600/2900
				BASIC FEE (37 CFR 1.16)	740.00
				Total of above Calculations =	1,172.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).				
	* <i>Reissue claims in excess of 20 and over original patent.</i>				
	** <i>Reissue independent claims over original patent.</i>			TOTAL =	\$1,172.00

6. Small entity status: Applicant claims small entity status. See 37 CFR 1.27.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to my Deposit Account No. _____:

- a. Fees required under 37 CFR 1.16.
- b. Fees required under 37 CFR 1.17.
- c. Fees required under 37 CFR 1.18.

8. A check in the amount of \$ _____ is enclosed.9. Payment by credit card. Form PTO-2038 is attached.10. Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.11. New Attorney Docket Number, if desired _____*[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]*12. a. Receipt For Facsimile Transmitted CPA (PTO/SB/29A)b. Return Receipt Postcard (Should be specifically itemized, See MPEP 503)13. Other: Copy of February 15, 2002 Response and Amendment**NOTE:***The prior application's correspondence address will carry over to this CPA
UNLESS a new correspondence address is provided below.***14. NEW CORRESPONDENCE ADDRESS** Customer Number or Bar Code Label(Insert Customer No. or Attach bar code label here)
PATENT TRADEMARK OFFICEor New correspondence address below

Name

Address

City

Country

State

Zip Code

Fax

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	David J. Kulik		
Signature			
Registration No. (Attorney/Agent)	36,576		
Date	July 1, 2002		



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
08/894,246	05/22/1998	1632	2040	EX95001-US	4	1	1

29693
WILEY, REIN & FIELDING, LLP
ATTN: PATENT ADMINISTRATION
1776 K. STREET N.W.
WASHINGTON, DC 20006

CONFIRMATION NO. 8790
CORRECTED FILING RECEIPT



OC00000008417747

Date Mailed: 07/09/2002

Receipt is acknowledged of a CPA in this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

MICHEL PERRICAUDET, ECROSNES, FRANCE;
MARTIN LEE, PARIS, FRANCE;
LUCIENNE CHATENOUD, PARIS, FRANCE;
HEDI HADDADA, BG LA REIVE, FRANCE;
JEAN-FRANCOIS BACH, PARIS, FRANCE;
MICHELLE WEBB, LONDON, FRANCE;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A 371 OF PCT/FR96/00218 02/12/1996

Foreign Applications

FRANCE 9501662 02/14/1995

If Required, Foreign Filing License Granted 07/08/2002

CPA filed on: 07/01/2002

Projected Publication Date: 10/17/2002

Non-Publication Request: No

Early Publication Request: No

Title

MEDICINAL COMBINATION USEFUL FOR IN VIVO EXOGENIC TRANSFECTION AND
EXPRESSION

Preliminary Class

424

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).